

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Stephen Rumph

v.

Civil No. 16-cv-78-PB

William Rumph, Sr., et al.<sup>1</sup>

**REPORT AND RECOMMENDATION**

In this diversity action, the pro se plaintiff, Stephen Rumph, brings multiple claims in this action. On October 27, 2016, the plaintiff filed a motion to join his daughter, Miranda Rumph, as a plaintiff in this case. (Doc. No. 67). Although filed by plaintiff, this motion was signed only by Miranda Rumph, and the court accordingly construed it as a motion to intervene rather than a motion to join. Dec. 29, 2016 Order at 1 (Doc. No. 70). The court concluded that the motion was procedurally deficient, but granted Miranda Rumph leave to supplement her motion to address those deficiencies. Id. at 3-4. The court directed Miranda Rumph to file her supplement by January 31, 2017, and noted that "[f]ailure to do so will result in the undersigned recommending that the district judge deny her motion." Id. at 4.

While Miranda Rumph appears to have received the December

---

<sup>1</sup>In addition to William Rumph, Sr., defendants in this action are Donald Kennedy, Andrew Rumph, Chryl Claflin, and the Law Office of Donald Kennedy.

29 Order (Doc. No. 70),<sup>2</sup> she has not complied with that Order's requirements. Accordingly, the undersigned magistrate judge recommends that the district judge deny the motion to intervene (Doc. No. 67) both because Miranda Rumph did not file a supplement as directed, and because the underlying motion (Doc. No. 67) is deficient, as stated in the December 29 Order (Doc. No. 70).

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). The fourteen-day period may be extended upon motion. Failure to file specific written objections to the Report and Recommendation within the specified time waives the right to appeal the district court's order. See Santos-Santos v. Torres-Centeno, 842 F.3d 163, 168 (1st Cir. 2016); Fed. R. Civ. P. 72(b)(2).



Andrea K. Johnstone  
United States Magistrate Judge

February 24, 2017

cc: Miranda Rumph, pro se

<sup>2</sup>The Postal Service returned the January 19, 2017 Order that had been mailed to Miranda Rumph in Vermont, marked "unable to forward." Doc. No. 72 (Notice of Mail Returned). The December 29, 2016 Order (Doc. No. 70), sent to the same address, was not similarly returned. LR 83.6(e) requires pro se parties to provide the clerk's office with a change of address notice, and further states that pro se parties who fail to provide their current address "are not entitled to notice."

Stephen Rumph, pro se  
Ralph Suozzo, Esq.  
David A. Horan, Esq.  
Linda M. Smith, Esq.  
William N. Smart, Esq.